

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA,

NO. CR. 97-54 WBS

Plaintiff,

v.

ORDER

TANH HUU LAM,

Defendant.

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On May 18, 2009, defendant Tanh Huu Lam filed a motion to invalidate his guilty plea pursuant to Federal Rule of Criminal Procedure 11(e). The court subsequently issued a briefing schedule ordering the government to file its opposition no later than June 22, 2009, and defendant to file his reply no later than July 6, 2009.

On June 22, 2009, the government filed a request to extend its deadline to file an opposition to June 29, 2009, which the court granted. After the government timely filed its opposition, the court received a "Request for Status" from defendant dated June 26, 2009, and filed on July 1, 2009, in

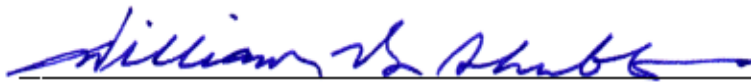
1 which he stated that he had not received the government's  
2 opposition.

3 Although it appears that defendant drafted his request  
4 before learning that the government received an extension to file  
5 its opposition, the court--in an abundance of caution--will again  
6 modify its briefing schedule to ensure that defendant received  
7 the government's opposition and is permitted sufficient time to  
8 reply.

9 Accordingly, defendant shall file his reply to the  
10 government's opposition no later than July 21, 2009. If  
11 defendant has not yet received the government's opposition, he  
12 shall promptly notify the court no later than July 17, 2009, at  
13 which time the court may order further modifications to its  
14 briefing schedule.

15 IT IS SO ORDERED.

16 DATED: July 8, 2009

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19 WILLIAM B. SHUBB  
20 UNITED STATES DISTRICT JUDGE  
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